



12-19-05

PATENT: Mail Stop AF

Customer No. 22,852

Attorney Docket No. 08702.0173-00000

AFS
JFW

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

LYONS et al.

Application No.: 10/005,228

Filed: December 3, 2001

For: METHOD AND COMPOSITION
FOR MODULATING BONE
GROWTH

)
)
) Group Art Unit: 1636
)
) Examiner: Maria Marvich
)
) Confirmation No.: 7961
)
)

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 CFR § 1.10 OF
MAILING BY "EXPRESS MAIL"**

EV 618318201 US
USPS Express Mail Label Number

December 16, 2005
Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Katherine L. Staba
Katherine L. Staba

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's decision mailed June 17, 2005.

The items checked below are appropriate:

1. ☐ A Petition for extension of time to respond to the final rejection was filed on extending the period for response to .
2. ☒ A Petition for extension of time to further extend the period for response to December 17, 2005 is enclosed together with authorization to charge a fee of \$1,020.00 to Deposit Account No. 06-0916.
3. ☒ The Appeal Fee of \$500.00 (or \$250.00 if by small entity)
☐ is enclosed or ☒ is to be charged to Deposit Account No. 06-0916
4. ☐ A check for \$___ to cover the above fees is enclosed.

12/20/2005 DENHNU1 00000059 060916 10005228

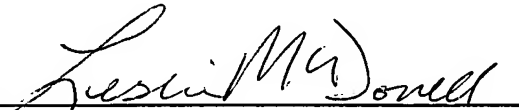
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Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 16, 2005

By: 
Leslie A. McDonell
Reg. No. 34,872